IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2775 OF 2007

Kashinath Baban Shinde ...Petitioner

vs.

1.State of Maharashtra & Anr. ...Respondents.

Mr.Uday P.Warunjikar, for Petitioner.
Mr.A.H.Palekar, AGP for Respondent no.1.

CORAM: D.K.DESHMUKH &
V.M.KANADE, JJ.
DATED: 27th NOVEMBER,2007.

P.C.:-

1. The learned Counsel appearing for petitioner submits that by this petition he is seeking direction to the Registrar to take further action under Section 88 of the Maharashtra Co-operative Societies Act, pursuant

to the report submitted under Section 83 of the Act. Perusal of the report under Section 83 of the Act shows that the report does not suggest any further action to be taken by the Registrar. Under Section 88 of the Act whether an action is to be taken or not, is in the discretion of the Registrar. We cannot issue any direction so as to control the exercise of discretion of the Registrar. The strange thing we find in this petition is that though the direction has been sought against the Registrar, the Registrar has not been joined as respondent to this petition. The petition is rejected.

(D.K.DESHMUKH, J.)

(V.M.KANADE,J.)